

1 CHRISTOPHER W. MIXSON, ESQ.
2 NV SBN 10685
3 Kemp Jones LLP
4 3800 Howard Hughes Parkway, Suite 1700
5 Las Vegas, NV 89169
6 Phone: (702) 385-6000
7 Email: c.mixson@kempjones.com

8 RYAN A. SHANNON, ESQ.
9 OR. SBN 155537, *pro hac vice*
10 Center for Biological Diversity
11 P.O. Box 11374
12 Portland, OR 97211
13 Phone: (503) 283-5474 ext. 407
14 Email: rshannon@biologicaldiversity.org

15 *Attorneys for Plaintiff*
16 (additional counsel listed on signature pages)

17 **IN THE UNITED STATES DISTRICT COURT**
18 **FOR THE DISTRICT OF NEVADA**

19 CENTER FOR BIOLOGICAL DIVERSITY,

20 Plaintiff,

21 v.

22 DEBRA HAALAND, et al.,

23 Defendants,¹

24 and

25 LEE CANYON SKI LIFTS, INC.,

26 [Proposed]Defendant-
27 Intervenor.

Case No. 2:20-cv-02131-RFB-DJA

**JOINT CASE MANAGEMENT
STATEMENT**

**SPECIAL SCHEDULING REVIEW
REQUESTED**

28 ¹ Pursuant to Fed. R. Civ. P. 25(d), Debra Haaland, Secretary of the Interior, is automatically substituted in her official capacity for Acting Secretary Scott de la Vega.

Counsel for all parties and [proposed] Defendant-Intervenor² have conferred and propose the following joint case management statement and schedule to govern the proceedings in this case. The parties and [proposed] Defendant-Intervenor (hereinafter the “parties”) agree that this is an action for review on an administrative record, and therefore shall proceed in accordance with Local Rule 16-1(c)(1). The parties are requesting longer than usual briefing periods and extensions of the page limits due to the voluminous administrative record and the large number of claims and complexities involved. Due to the nature of this administrative record review case, the parties stipulate to waive the statement of undisputed material facts and response to undisputed facts normally included in summary judgment briefs pursuant to Local Rule 56-1. The parties are in agreement that this case should very likely be resolved on cross motions for summary judgment.³

Proposed schedule:

1. Lodging of the Administrative Record: April 9, 2021

The parties agree, subject to the Court’s approval, that the administrative record may be submitted in electronic form on hard drives rather than in paper form.

2. Deadline for Parties to Confer on Record Disputes: May 7, 2021

3. Deadline for Filing Motion to Complete and/or Supplement the administrative record:

² Lee Canyon Ski Lifts, Inc. filed an Unopposed Motion to Intervene on February 5, 2021. ECF No. 19. The Unopposed Motion has not been ruled upon as of this filing.

³ This case concerns the authorization and construction of Phase 1 of the Lee Canyon Ski Area Master Development Plan. Complaint, ECF 01, ¶ 1. Federal Defendants and Defendant-Intervenors have assured Plaintiff that no construction activities for the Master Development Plan are planned for the year 2021’s construction season, and have agreed to provide Plaintiff with notice two weeks prior to the initiation of any such activities. In the event such notice is given, Plaintiff may seek expedited consideration of this case and/or preliminary relief if necessary. The parties will notify the Court within three days of such notice, and provide joint or separate proposals for proceeding with this matter at that time should the schedule set forth in this Joint Case Management Statement need to be updated.

1 May 28, 2021

2 If a motion to complete and/or supplement the administrative record is filed, any
3 opposition from Federal Defendants will be due within 21 days after the filing of the motion, and
4 the movant's reply will be due within 14 days after the filing of the opposition. If a motion to
5 complete and/or supplement is filed, the summary judgment briefing schedule set forth below
6 shall be stayed pending the Court's resolution of the motion. Within ten (10) days of an order of
7 the Court resolving the motion to complete and/or supplement, the parties shall jointly submit a
8 proposed revised summary judgment briefing schedule.
9

10 If no motion to complete and/or supplement the administrative record is filed, summary
11 judgment briefing shall proceed as follows:
12

- 13 4. Deadline for Plaintiff to file its motion for summary judgment, which will be limited to
14 45 pages: June 25, 2021
- 15 5. Deadline for Federal Defendants to file their response to Plaintiff's motion, and any
16 cross-motion for summary judgment, which brief will be limited to 40 pages: July 23,
17 2021
- 18 6. Deadline for [proposed] Defendant-Intervenor to file its response to Plaintiff's motion,
19 any cross-motion for summary judgment, which brief will be limited to 30 pages: August
20 13, 2021
- 21 7. Deadline for Plaintiff to file its combined response and reply, which brief will be limited
22 to 40 pages: September 10, 2021
- 23 8. Deadline for Federal Defendants to file any reply, which brief will be limited to 25 pages:
24 October 8, 2021
25
26
27
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1 9. Deadline for [proposed] Defendant Intervenor to file any reply, which brief will be
2 limited to 20 pages: October 29, 2021.

3 To the extent not otherwise addressed by this Joint Case Management Statement, the local rules
4 of the United States District Court of the District of Nevada (Southern Division) will apply.
5

6
7
8 Dated: March 18, 2021

Respectfully submitted,

9 s/ Ryan Adair Shannon

Ryan Adair Shannon

10 *Pro Hac Vice*

Center for Biological Diversity

11 P.O. Box 11374

Portland, OR 97211

12 Telephone: (503) 283-5474

13 E-mail: rshannon@biologicaldiversity.org

14 Counsel for the Center for Biological Diversity

15 JEAN E. WILLIAMS

16 Acting Assistant Attorney General

17 /s/ Taylor A. Mayhall

18 Taylor A. Mayhall, Trial Attorney

MN Bar No. 0400172

19 Environment & Natural Resources Division

Wildlife & Marine Resources Section

20 P.O. Box 7611

Washington, D.C. 20044

21 Tel. (202) 598-3796

22 taylor.mayhall@usdoj.gov

23 /s/ Paul G. Freeborne

24 PAUL G. FREEBORNE, Trial Attorney

VA Bar No. 33024

25 Natural Resources Section

26 P.O. Box 7611

Washington, D.C. 20044

27 Tel: (202) 532-5271

28 paul.freeborne@usdoj.gov

/s/ Bridget K. McNeil

BRIDGET K. MCNEIL, Senior Trial Attorney
CO Bar No. 34299
Wildlife and Marine Resources Section
999 18th St., South Terrace, Suite 370
Denver, CO 80202
Tel: (303) 844-1484
bridget.mcneil@usdoj.gov

Attorneys for Federal Defendants

IT IS SO ORDERED.

DATED: March 19, 2021



DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I hereby certify that today I electronically filed the foregoing Motion for Extension of Time to Serve Summons and Complaint Upon the United States Attorney General with the Clerk of the Court using the CM/ECF system, which will send notification of such upon all attorneys of record.

Dated: March 18, 2021

/s/ Ryan Adair Shannon
Ryan Adair Shannon